

Application No.: 10/067,234
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REMARKS

Reconsideration and allowance of the above-identified application, as currently amended, is respectfully requested.

Applicant notes with appreciation that claims 3-5, 7, 8, 10-12 and 14-16 are directed to allowable subject matter and that these claims would be rendered allowable upon re-presented in an appropriate in self-contained form. Regarding previously pending dependent claims 14-16, they are being re-presented in an appropriate independent claimed format, each incorporating the substance of the corresponding independent claim 13. As to claim 3-5, 7, 8 and 10-12, the outstanding objection thereto, it is submitted, was erroneously made since these claims have already been re-presented in an appropriate self-contained format with the filing of the earlier amendment, dated November 2, 2004. Specifically, objected to claim 3 has been earlier re-presented as an independent claim. Since claims 4-5, 7, 8 and 10-12 are dependent claims which have as a basis the currently pending independent claim 3, there is clearly no need to re-present these claims as separate independent claims. Therefore, since claims 3-5, 7, 8, 10-12 constitute a self-contained independent claim group, the outstanding objection thereto is accordingly traversed and reconsideration and withdrawal of the same is respectfully requested. Correspondingly, claims 6 and 9 should also be rendered allowable since they are also dependent on allowable independent claim 3 and Intervening claim 4, respectively. In other words, it appears that claim 6 (dependent on independent claim 3) and claim 9 (dependent on intervening claim 4) may have been erroneously considered as being linked to independent claim 2 rather than to its appropriate corresponding base claim 3. It is submitted, therefore, that the outstanding rejection

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to dependent claims 6 and 9 was erroneously made noting that they are both dependent on claims that were earlier rendered allowable. Accordingly, the rejection of claims 6 and 9 under 35 U.S.C. 103(a), as set forth under Item 2 in the detailed action, is traversed and withdrawal of the same is respectfully requested.

Regarding Item 6, on page 7 of the Official action, the above-noted discussion adequately addresses the same. That is since claims 4, 5, 7, 8 and 10-12 have as a basis an allowable independent claim 3, there is no need to re-present them as separate independent claims. In reviewing the set forth language in claims 3 and 4, there does not appear any conflict therebetween. Also, since claim 3 has been indicated as being directed to allowable subject matter and noting that it is in an inappropriate independent claim format, additional amendments thereto, it is submitted, are deemed unnecessary.

With the above-made amendments, also, claims 2, 13 and 17-20 were, additionally, cancelled. Therefore, the outstanding rejection directed thereto, under 35 U.S.C. 103(a), it is submitted, has been rendered moot. It should be noted, however, agreeing to the canceling of rejected claims 2, 13 and 17-20 should not be construed as an acquiescence with regard of the merits of the art rejection directed thereto. Rather, the canceling of these claims was effected in consideration of applicants receiving an early formal notification of allowability with regard to the present application.

No further outstanding issues, it is believed, remain.

Therefore, in view of the amendments presented hereinabove together with these accompanying remarks, favorable action on the currently pending claims, i.e.,

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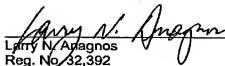
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claims 3-12 and 14-16, and in early formal notification of allowability of the above-identified application is respectfully requested.

To the extent necessary, applicants petition for an extension of time under 37 CFR §1.136. Please charge any shortage in the fees due in connection with the filing of this paper, to the Deposit Account of Antonelli, Terry, Stout & Kraus, LLP, Dep. Acct. No. 01-2135 (Docket No. 501.41071X00), and please credit any excess fees to such deposit account.

Respectfully submitted,

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